IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2048 OF 2004

Yashwant Shivaram Patkar Petitioner

versus

Sadanand Shankar Vasargaonkar
and others Respondents

Mr.Abhay D. Parab for petitioner.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 9th January 2006

PC :

1. Heard learned counsel for petitioner. The order passed by the Lower Appellate Court refusing to condone the delay in filing of appeal, is neither vitiated by any error apparent on the face of record nor can be called as perverse so as to call for interference under Article 227 of the Constitution of India. The discretion exercised by the Lower Appellate Court is in consonance with the materials produced and therefore, this Court's interference is not at all warranted. Petition dismissed.

(S.C.DHARMADHIKARI, J.)